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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,813	08/20/2003	Yoji Nakatani	16869S-090800US	8842

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EXAMINER

BHATIA, AJAY M

ART UNIT	PAPER NUMBER
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2145

DATE MAILED: 07/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/645,813

Applicant(s)

NAKATANI ET AL.

Examiner

Ajay M. Bhatia

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/17/04</u> . | 6) <input type="checkbox"/> Other: _____ |

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Claim Rejections - 35 USC § 101

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35 U.S.C. 101 reads as follows:

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Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

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Claims 40-55 are not limited to tangible embodiments. As such, that claim is not limited

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to statutory subject matter and is therefore non-statutory.

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Claim Rejections - 35 USC § 102

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

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form the basis for the rejections under this section made in this Office action:

14

A person shall be entitled to a patent unless –

15

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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Claims 24-55 are rejected under 35 U.S.C. 102(e) as being anticipated by Jiang

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et al. (U.S. Patent 6,453,354).

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1 For claim 24, Jiang teaches, a gateway apparatus between a client computer requesting
2 a file access and a file server executing file access processes according to a received
3 file access request from the client computer, comprising:
4 a first type protocol processing unit which is configured to receive a first type file access
5 request according to the first type protocol from the client computer and respond to the
6 received first type file access request, wherein a first type file system according to the
7 first type protocol is a directory structural file system and the first type file access
8 request includes a path ID indicating a directory including a target file and a first type file
9 ID indicating the target file, and the first type file ID is a unique ID in the directory;
10 a second type file system access unit which is configured to receive a file access
11 request from the first type protocol processing unit and issue a second type file access
12 request to a second type file system, wherein the second type file access request
13 includes a second type file ID indicating the target file, and the second type file ID is a
14 unique ID in the second type file system and assigned to the target file by the second
15 type file system;
16 a directory management unit which is configured to manage a correspondence between
17 a directory structure of the first type file system and a second type file ID of the second
18 type file system, wherein the second type file ID use by the second type file system
19 access unit is specified by the directory management unit based on the first type file ID
20 included in the first type file access request. (see Jiang, Col. 3 line 58 to Col. 4 line 43
21 Col. 5 lines 10-24 Col. 25 lines 35-67, Col. 26 lines 1-18, Col. 26 line 34 to Col. 27 line
22 5, Col. 28 lines 1-31, Col. 29 lines 43-65, and figures 2, 3, 4, 8, 13, 18)

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2 For claim 25, Jiang teaches, the gateway apparatus according to claim 24, wherein the
3 first type file system is managed by one specific file server, and the second type file
4 system is a distributed file system managed by plural file servers and files of the second
5 type file system are distributed over the plural file servers. (see Jiang, Col. 5 lines 10-24
6 Col. 9 lines 6-15 Col. 25 lines 35-67, Col. 26 line 34 to Col. 27 line 5)

7

8 For claim 26, Jiang teaches, the gateway apparatus according to claim 25, wherein the
9 first type protocol processing unit is configured to receive a first type file access request
10 according to NFS, CIFS or both. (see Jiang, Col. 3 line 58 to Col. 4 line 43 Col. 25 lines
11 35-67, Col. 26 line 34 to Col. 27 line 5)

12

13 For claim 27, Jiang teaches, the gateway apparatus according to claim 24, wherein the
14 first type protocol processing unit is configured to register a path ID and a first type file
15 ID of a new file created according to the first type protocol to the directory management
16 unit. (see Jiang, Col. 5 lines 10-24 Col. 25 lines 35-67, Col. 26 line 34 to Col. 27 line 5,
17 Col. 28 lines 1-31, Col. 29 lines 43-65)

18

19 For claim 28, Jiang teaches, the gateway apparatus according to claim 24, wherein the
20 gateway apparatus is configured to register a path ID, a first type file ID, and a second
21 type file ID or a new file, which is created according to the second type protocol, to the

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1 directory management unit. (see Jiang, Col. 5 lines 10-24 Col. 25 lines 35-67, Col. 26
2 line 34 to Col. 27 line 5, Col. 28 lines 1-31, Col. 29 lines 43-65)

3
4 For claim 29, Jiang teaches, the gateway apparatus according to claim 24, wherein the
5 correspondence between the directory structure of the first type file system and the
6 second type file ID of the second type file system managed by the directory
7 management unit is different from a correspondence between a directory structure of
8 the first type file system and the second type file ID of the second type file system
9 managed by another directory management unit of another gateway apparatus. (see
10 Jiang, abstracts, Col. 1 lines 32-46, Col. 13 lines 4-24 , Col. 25 lines 35-67, Col. 26 line
11 34 to Col. 27 line 5)

12
13 For claim 30, Jiang teaches, the gateway apparatus according to claim 29, wherein the
14 gateway apparatus is configured to provide a different structure of the first type file
15 system from the another gateway apparatus with the client computer based on the
16 correspondence managed by the directory management unit. (see Jiang, abstracts, Col.
17 1 lines 32-46, Col. 13 lines 4-24 , Col. 25 lines 35-67, Col. 26 line 34 to Col. 27 line 5)

18
19 For claim 31, Jiang teaches, the gateway apparatus according to claim 24, wherein
20 when file data is updated in the second type file system, a new second type file ID,
21 which is different from a second type file ID of the file before updating, is assigned to the
22 update file. (see Jiang, Col. 5 lines 10-24 Col. 25 lines 35-67, Col. 26 line 34 to Col. 27

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1 line 5, Col. 28 lines 1-31, Col. 29 lines 43-65, Col. 29 line 65 to Col. 30 line 40, Col. 31
2 lines 30-55, Col. 34 lines 20-53, Col. 37 lines Col. 29 lines 43-65-54, Col. 32 line 34 to
3 Col. 33 line 20, Col. 35 lines 10-20)

4
5 For claim 32, Jiang teaches, the gateway apparatus according to claim 31, wherein
6 each second type file ID has an ID indicating a file group including a file and other
7 generation files associated with the file. (see Jiang, Col. 5 lines 10-24 Col. 25 lines 35-
8 67, Col. 26 line 34 to Col. 27 line 5, Col. 28 lines 1-31, Col. 29 lines 43-65, Col. 29 line
9 65 to Col. 30 line 40, Col. 31 lines 30-55, Col. 34 lines 20-53, Col. 37 lines 18-54, Col.
10 32 line 34 to Col. 33 line 20, Col. 35 lines 10-20)

11
12 For claim 33, Jiang teaches, the gateway apparatus according to claim 32, wherein
13 each second type file ID further has an ID indicating a generation of the file. (see Jiang,
14 Col. 5 lines 10-24 Col. 25 lines 35-67, Col. 26 line 34 to Col. 27 line 5, Col. 28 lines 1-
15 31, Col. 29 lines 43-65, Col. 29 line 65 to Col. 30 line 40, Col. 31 lines 30-55, Col. 34
16 lines 20-53, Col. 37 lines 18-54, Col. 32 line 34 to Col. 33 line 20, Col. 35 lines 10-20)

17
18 For claim 34, Jiang teaches, the gateway apparatus according to claim 31, wherein the
19 gateway apparatus is configured to access the specific generation file of the second
20 type file system based on the first type file access request according to the first type
21 protocol. (see Jiang, Col. 5 lines 10-24 Col. 25 lines 35-67, Col. 26 line 34 to Col. 27
22 line 5, Col. 28 lines 1-31, Col. 29 lines 43-65, Col. 29 line 65 to Col. 30 line 40, Col. 31

1 lines 30-55, Col. 34 lines 20-53, Col. 37 lines 18-54, Col. 32 line 34 to Col. 33 line 20,
2 Col. 35 lines 10-20)

3
4 For claim 35, Jiang teaches, the gateway apparatus according to claim 34, wherein the
5 gateway apparatus is configured to access the specific generation file of the second
6 type file system based on the first type file access request according to the first type file
7 access request according to the first type protocol. (see Jiang, Col. 5 lines 10-24 Col. 25
8 lines 35-67, Col. 26 line 34 to Col. 27 line 5, Col. 28 lines 1-31, Col. 29 lines 43-65, Col.
9 29 line 65 to Col. 30 line 40, Col. 31 lines 30-55, Col. 34 lines 20-53, Col. 37 lines 18-
10 54, Col. 32 line 34 to Col. 33 line 20, Col. 35 lines 10-20)

11
12 For claim 36, Jiang teaches, the gateway apparatus according to claim 31, wherein
13 when the first type protocol processing unit receives an update request for a file, the
14 second type file system access unit is configured to create new generation of the file for
15 the second type file system. (see Jiang, Col. 5 lines 10-24 Col. 25 lines 35-67, Col. 26
16 line 34 to Col. 27 line 5, Col. 28 lines 1-31, Col. 29 lines 43-65, Col. 29 line 65 to Col. 30
17 line 40, Col. 31 lines 30-55, Col. 34 lines 20-53, Col. 37 lines 18-54, Col. 32 line 34 to
18 Col. 33 line 20, Col. 35 lines 10-20)

19
20 For claim 37, Jiang teaches, the gateway apparatus according to claim 36, wherein the
21 first type protocol processing unit is configured to recognize a series of update request
22 received from the client computer, and the second type file system access unit is

1 configured to create one new generation of the file for the series if update requests.

2 (see Jiang, Col. 5 lines 10-24 Col. 25 lines 35-67, Col. 26 line 34 to Col. 27 line 5, Col.
3 28 lines 1-31, Col. 29 lines 43-65, Col. 29 line 65 to Col. 30 line 40, Col. 31 lines 30-55,
4 Col. 34 lines 20-53, Col. 37 lines 18-54, Col. 32 line 34 to Col. 33 line 20, Col. 35 lines
5 10-20)

6
7 For claim 38, Jiang teaches, the gateway apparatus according to claim 37, wherein the
8 first type protocol processing unit is configured to recognize the end of the series of
9 update request based on the file close request received form the client computer. (see
10 Jiang, Col. 5 lines 10-24 Col. 25 lines 35-67, Col. 26 line 34 to Col. 27 line 5, Col. 28
11 lines 1-31, Col. 29 lines 43-65, Col. 29 line 65 to Col. 30 line 40, Col. 31 lines 30-55,
12 Col. 34 lines 20-53, Col. 37 lines 18-54, Col. 32 line 34 to Col. 33 line 20, Col. 35 lines
13 10-20)

14
15 For claim 39, Jiang teaches, the gateway apparatus according to claim 37, wherein the
16 first type protocol processing unit is configured to recognize the end of the series of
17 update request based on the time interval between one update request and the nest
18 update request. (see Jiang, Col. 5 lines 10-24 Col. 25 lines 35-67, Col. 26 line 34 to Col.
19 27 line 5, Col. 28 lines 1-31, Col. 29 lines 43-65, Col. 29 line 65 to Col. 30 line 40, Col.
20 31 lines 30-55, Col. 34 lines 20-53, Col. 37 lines 18-54, Col. 32 line 34 to Col. 33 line
21 20, Col. 35 lines 10-20)

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached UPSTO 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ajay M Bhatia whose telephone number is (571)-272-3906. The examiner can normally be reached on M-F 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia M Wallace can be reached on (571)-272-6159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AB


VALENCIA MARTIN-WALLACE
SUPERVISORY PATENT EXAMINER